

416 Rec'd PCT/PTO 23 FEB 2000

PATENT

Docket No. 350013-66

101 Rec'd PCT/PTO 23 FEB 2000

09/424091

I hereby certify that on February 17, 2000, which is the date I am signing this certificate, this correspondence and all attachments mentioned are being deposited in the United States Postal Service as first class in an envelope addressed to: Assistant Commissioner for Patents, Attn: Box PCT, Washington, D.C. 20231.


Joyce A. Johnson

In The United States Patent And Trademark Office

In Re Application Of:

Richard A. KAY

U.S. Serial No. 09/424,091

Filing Date: November 18, 1999

Entitled: **IMMUNOLOGICAL METHOD**

Group Art Unit: 5611

Examiner: Unassigned

Assistant Commissioner for Patents
ATTN: Box PCT
Washington, D.C. 20231

RESPONSE TO NOTIFICATION MISSING REQUIREMENTS UNDER 35 USC 371

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

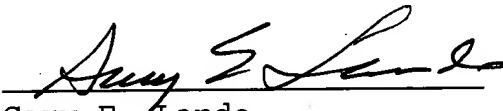
Dear Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated January 24, 2000, we enclose the Declaration, Power of Attorney and Petition. Please note that the fee required to cover the government application filing fee

and surcharge for a large entity was paid along with the basic National filing fees on November 18, 1999. Therefore, it is submitted that no fees are due. However, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 16-2230 and we enclose a duplicate copy of this paper for that purpose.

Respectfully submitted,

Dated: February 17, 2000



Gary E. Lande
Registration No. 22,222

OPPENHEIMER WOLFF & DONNELLY LLP
2029 Century Park East, 38th Floor
Los Angeles, California 90067-3024
Telephone: (310) 788-5000
Facsimile: (310) 788-5100

09/424091



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO. 09/424,091	FIRST NAMED APPLICANT KAY	ATTY. DOCKET NO. 350013-66
------------------------------------	------------------------------	-------------------------------

GARY E LANDE
OPPENHEIMER WOLFF & DONNELLY
2029 CENTURY PARK EAST
SUITE 3800
LOS ANGELES CA 90067-3024

5611
RECEIVED
FEB 14 2000
OPPENHEIMER

INTERNATIONAL APPLICATION NO. PCT/GB98/01382	
I.A. FILING DATE 05/27/98	PRIORITY DATE 05/27/97
DATE MAILED: 01/24/00	

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☒ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

- ☒ Copy of the international application in:
☐ a non-English language.
☒ English.

- ☐ Translation of the international application into English.
☐ Oath or Declaration of inventors(s) for DO/EO/US.
☐ Copy of Article 19 amendments.
☐ Translation of Article 19 amendments into English.
☒ The International Preliminary Examination Report in English and its Annexes, if any.
☐ Translation of Annexes to the International Preliminary Examination Report into English.
☐ Preliminary amendment(s) filed _____ and _____.
☐ Information Disclosure Statement(s) filed _____ and _____.
☐ Assignment document.
☐ Power of Attorney and/or Change of Address.
☐ Substitute specification filed _____.
☐ Statement Claiming Small Entity Status.
☒ Priority Document. ①
☒ Copy of the International Search Report ☒ and copies of the references cited therein.
☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875
FORM PCT/DO/EO/905 (December 1997)

Ray Balthors
National Stage Prosecutor
Telephone: (703) 305-3085